

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

AZCO BIOTECH INC., a Nevada Corporation; and J ADAMS, an individual,

Plaintiffs,

v.

QIAGEN, N.V., a Netherlands holding company; STEVEN GORDON, an individual; JINGYUE JIU, an individual; JERZY OLEJNIK, an individual; INTELLIGENT BIO-SYSTEMS, INC., a Delaware Corporation; and DOES 1-50, inclusive,

Defendants.

Case No.: 12cv2599-BEN (DHB)

MODIFIED SCHEDULING ORDER

AND RELATED COUNTERCLAIM.

On March 5, 2015, the Court stayed all remaining scheduling dates pending resolution of the parties' cross-motions for summary judgment. (ECF No. 106.) The Honorable Roger T. Benitez recently ruled on those motions. (ECF No. 111.) The parties now propose a scheduling order, with the first proposed date being their pretrial disclosure

deadline. (ECF No. 112.) The Court notes that at the time the Court stayed the scheduling order dates on March 5, 2015, there was less than two weeks of time before the parties' pretrial disclosures were due. Now, however, they request that this deadline be set more than two months from now. The Court does not find such additional time necessary, especially in light of the significant narrowing of this case resulting from Judge Benitez's summary judgment order. Accordingly, the Court sets the following scheduling order:

1. The parties must comply with the pretrial disclosure requirements of Fed. R. Civ. P. 26(a)(3) no later than August 17, 2015.
2. Each party shall serve on each other party and file with the Clerk of Court their Memorandum of Contentions of Fact and Law and take any other action required by Local Rule 16.1.f.2 on or before August 17, 2015.
3. Counsel shall confer and take the action required by Local Rule 16.1.f.4.a on or before August 24, 2015.
4. Counsel for the Plaintiffs must provide opposing counsel with the proposed pretrial order for review and approval and take any other action required by Local Rule 16.1.f.6.a on or before August 31, 2015.
5. Written objections, if any, to any party's Fed. R. Civ. P. 26(a)(3) pretrial disclosures, including motions in limine, shall be filed and served on or before August 31, 2015.
6. The Pretrial Order shall be lodged with the district judge's chambers on or before September 8, 2015 and shall be in the form prescribed in Local Rule 16.1.f.6.c.
7. The final Pretrial Conference will be scheduled on the calendar of the Honorable Roger T. Benitez on September 14, 2015 at 10:30 a.m. The trial date will be assigned by Judge Benitez at the Pretrial Conference.

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The parties are instructed to consult the December 20, 2013 Scheduling Order (ECF No. 44) for further details and instructions concerning the deadlines set forth above.

IT IS SO ORDERED.

Dated: July 13, 2015

John G. Hartman

Hon. David H. Bartick
United States Magistrate Judge